

REMARKS

Claims 1-13 stand rejected under Section 103 based on U.S. Patent No. 6,282,454 (Papadopoulos) in view of U.S. Patent No. 5,103,392 (Mori). Claim 14 stands rejected under Section 103 based on U.S. Patent No. 6,282,454 (Papadopoulos) in view of U.S. Patent No. 5,103,392 (Mori) further in view of U.S. Patent No. 7,035,898 (Baker).

Applicant has amended claim 1 to recite:

a processor unit that determines a payment figure from operations running in the process control system, the operations regarding the creation of a process control function, the payment figure to be charged to a user.

Applicant claim 14, as amended, recites:

recording the creation of a process control function by a processing unit; and

determining a payment figure to be charged to a user based on the creation of the process control function.

Thus, Applicant's payment figure is based on the creation of a process control function. In contrast, Mori teaches a payment figure based on the use of a process and not the creation.

Furthermore, Applicant claim 2, as amended, recites:

the Internet;

a process control computer; and

a client computer connected to the process control computer via the Internet;

wherein at least a part of the operations run on the process control computer.

Applicant limitation comprises a client computer and a process control computer. The payment figure is from operations running in the process control system wherein at least a part of the operations run on the process control computer. In contrast, Mori teaches that the operations run on the client computer.

In addition, Applicant claim 3, as amended, recites:

at least one field device for automation of at least one system component, wherein at least a part of the operations run on the field device.

Thus, the payment figure is from operations running in the process control system wherein at least a part of the operations run on the process control computer and at least part of the operations run on the field device. In contrast, Mori teaches that the operations only run on the client computer and not distributed let alone distributed between a process control computer and a field device.

New Claims 15-25:

New claims further define the scope of the invention as described in the specification and drawings. In view of the foregoing remarks regarding the other claims, Applicant respectfully submits claims 15-25 are patentable and requests allowance of said claims.

Claims 15, 16, 20, 21 and 22 further defines the creation. Support for these claims may be found for example in paragraph [0009] of the published application.

Claims 17 and 23 further defines that the payment figure such that the payment figure is based on the creation and removal of the process control function. Support for these claims may be found for example in paragraph [0008].

Claims 18 and 24 further defines the payment figure such that the payment figure is based on the creation and removal of the process control function and execution of an automation function. Support for these claims may be found for example in paragraph [0008].

Claims 19 and 25 further defines the payment figure such that the payment figure is based on the creation of the process control function and execution of an automation function. Support for these claims may be found for example in paragraph [0008].

Serial No.: 10/763,786
Atty. Doc.: No. 2001P13794WOUS

Conclusion

For the foregoing reasons, it is respectfully submitted that the objections and rejections set forth in the outstanding Office Action are inapplicable to the present claims. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: Feb. 10, 2010

By: Janet D. Hood

Janet D. Hood
Registration No. 61,142
(407) 736-4234

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830